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09/866,986	05/30/2001	Shigeki Ishino	046601-5098	4887

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MORGAN LEWIS & BOCKIUS LLP
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EXAMINER

GOLD, AVI M

ART UNIT	PAPER NUMBER
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2157

MAIL DATE	DELIVERY MODE
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06/06/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/866,986

Applicant(s)

ISHINO, SHIGEKI

Examiner

Avi Gold

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-33 and 35-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-33 and 35-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This action is responsive to the amendment filed on March 13, 2007. Claims 18, 33, 35, and 37 were amended. Claims 18-33 and 35-38 are pending.

Response to Amendment

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 33 and 38 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The portion of claims 33 that states, "wherein the display operation part has one or more divided screens and at least one screen shows common information of a plurality of the image readers" is not found in the specification. The portion of claim 38 that states "at least two of a plurality of image readers from the management device and receives display information unique to the image reader from the image reader" is not found in the specification.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 38 is rejected under 35 U.S.C. 102(e) as being anticipated by Roosen et al., U.S. Patent No. 6,970,260.

Roosen teaches a system for generating digitized documents for a digital environment provided with a local operator control unit (see abstract).

Regarding claim 38, Roosen teaches a system for reading an image, comprising:
an image reader including:

an operation instruction receiving part that receives an operation instruction (col. 1, line 66 – col. 2, line 2, Roosen discloses receiving a request for a digitized document); and

a reading part that reads an image based on the operation instruction received

by the operation instruction receiving part (col. 2, lines 3-19, Roosen discloses a scanner scanning a document);

a display operation part that displays information and receives the operation instruction (fig. 1, col. 3, lines 23-27, Roosen discloses a display and multiple scan orders);

a management that sends a first operation instruction (col. 2, lines 6-10, Roosen discloses a scan order),

wherein the display operation part receives a second operation instruction from a user (fig. 1, col. 3, lines 23-27), and

wherein the display operation part receives display information of at least two of a plurality of image readers from the management device and receives display information unique to the image reader from the image reader (fig. 1, col. 3, lines 23-27); and

wherein the management device is connected to at least two of the plurality of image readers over a network, and the reading part reads the image based on the first operation instruction and/or the second operation instruction (fig. 1, col. 1, line 66 – col. 2, line 19, col. 3, lines 23-35, Roosen discloses all elements of the scanner being interconnected by a network).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 18-28, 30-32, and 35-37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidaka further in view of Roosen et al., U.S. Patent No. 6,970,260.

Hidaka teaches the invention substantially as claimed including a network copy-file management system which is made up of a copy system and terminals (see abstract).

Regarding claim 18, Hidaka teaches a system for reading an image, comprising; a plurality of image readers, at least one image reader including; an operation instruction receiving part that receives an operation instruction (col. 2, lines 44-49; col. 3, lines 14-16, Hidaka discloses a management and operation portion which inherently control a scanner); and

a reading part that reads an image based on the operation instruction received by the operation instruction receiving part (col. 2, lines 44-45, Hidaka discloses a scanner reading information);

an image processing unit that processes the image read by the reading part (col. 2, lines 53-55, Hidaka discloses an image data converting means); and

a storage part that stores a processed image, the processed image being retrievable by a management device (col. 2, line 44 – col. 3, line 16, Hidaka discloses a storage portion for storing an image file retrievable by a management device);

a display operation part connected to the image reader that displays information of the image reader, receives display information from the management device and the

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image reader, and receives the operation instruction from a user, the management device, and the image reader (fig. 45, col. 3, lines 17-19, Hidaka discloses a display portion); and

the management device that manages the image reader and the display operation part (col. 2, lines 44-49, col. 3, lines 14-16),

wherein the management device is connected to the image reader and the display operation part, and the reading part reads the image based on the operation instruction received by the operation instruction receiving part and the operation instruction received by the display operation part (fig. 45, col. 3, lines 1-19).

Hidaka fails to teach the limitation further including a plurality of image readers and that the management device is connected to the image reader and the display operation part over a network.

However, Roosen teaches a system for generating digitized documents for a digital environment provided with a local operator control unit (see abstract). Roosen teaches the use of multiple scanners and all elements of the scanner being interconnected by a network (fig. 1, col. 1, line 63 – col. 2, line 19, col. 3, lines 23-35).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hidaka in view of Roosen to use a management device connected to the image reader and the display operation part over a network. One would be motivated to do so because it is a quicker and more efficient scan process and allows for remote scanning and printing.

Regarding claim 19, Hidaka teaches the system for reading an image according to claim 18, wherein the display operation part is shared with a plurality of image readers (col. 2, lines 44-49).

Regarding claim 20, Hidaka teaches the system for reading an image according to claim 19, wherein the display operation part shared with the plurality of image readers is managed by the management device (col. 2, lines 44-49, col. 3, lines 14-16).

Regarding claim 21, Hidaka teaches the system for reading an image according to claim 18, further comprising:

an image transfer part that transfers the image read by the reading part to the management device (col. 3, lines 8-12, Hidaka discloses an image file transmitting portion); and

a storage part that stores the image read by the reading part (col. 2, lines 56-66, Hidaka discloses a storage portion for storing the image file).

Regarding claim 22, Hidaka teaches the system for reading an image according to claim 18, wherein the display operation part includes a browser part that displays a web page and receives an instruction to input the information into the web page (col. 6, lines 48-67, Hidaka discloses images transmitted by Java Applet to web browser).

Regarding claim 23, Hidaka teaches the system for reading an image according to claim 22, wherein the display operation part requires an operation instruction page supplied from the management device, and displays the acquired operation instruction page (col. 6, lines 48-67, Hidaka discloses the management information being displayed).

Regarding claim 24, Hidaka teaches the system for reading an image according to claim 23, wherein the reading part reads the image by receiving the operation instruction from the management device based on parameters defined by the operation instruction page (col. 6, lines 48-67, Hidaka discloses the image file transmitting portion to send the image files corresponding to the specified management information).

Regarding claim 25, Hidaka teaches the system for reading an image according to claim 23, wherein the operation instruction page permits to designate an instruction that reads one document more than once continuously by using different parameters (col. 3, lines 55-59, Hidaka discloses different parameters of image file and data).

Regarding claim 26, Hidaka teaches the system for reading an image according to claim 18, the image reader further including:

a Web server part that supplies a web page to the display operation part (col. 6, lines 46-67).

Regarding claim 27, Hidaka teaches the system for reading an image according to claim 26, wherein the display operation part acquires a first operation instruction page supplied from the management device, acquires a second operation instruction page supplied by the web server part, and displays the acquired first and second operation instruction pages (col. 2, lines 44-49; col. 3, lines 17-19; col. 6, lines 48-67).

Regarding claim 28, Hidaka teaches the system for reading an image according to claim 26, wherein, when a failure occurs, the web server part supplies the display operation part with a failure information page to inform that the failure has occurred (col. 33, lines 28-39, Hidaka discloses an error message on the display screen).

Regarding claim 30, Hidaka teaches the system for reading an image according to claim 18, wherein the operation instruction is sent from at least one of the management device directly, the management device through the display operation part, and the display operation part directly, to read the image based on the operation instruction by the reading part (fig. 45, col. 3, lines 1-19).

Regarding claim 31, Hidaka teaches the system for reading an image according to claim 18, wherein the display operation part is managed by the management device and/or a web server (col. 2, lines 44-49, col. 3, lines 14-16, col. 6, lines 48-67).

Regarding claim 32, Hidaka teaches the system for reading an image according to claim 19, wherein the display operation part includes a display screen and the screen is shared with the plurality of image readers per a division (fig. 45, col. 2, lines 44-49, col. 3, lines 17-19).

Regarding claim 35, Hidaka teaches a system for reading an image comprising:
a plurality of image readers, at least one image reader including:
an operation instruction receiving part that receives an operation instruction (col. 2, lines 44-49, col. 3, lines 14-16);

a reading part that reads the image based on the operation instruction received by the operation instruction receiving part (col. 2, lines 44-45); and

a storage part that stores the image read by the reading part, the image being retrievable by a management device (col. 2, line 44 – col. 3, line 16);

a display operation part that displays information of the image reader and receives the operation instruction from a user, a management device, and the image reader (fig. 45, col. 3, lines 17-19); and

the management device that manages the image reader and the display operation part, the management device causing common display information to be displayed on the display operation part for the plurality of the image readers, and the image reader causing information unique to the image reader to be displayed on the display operation part (col. 2, lines 44-49, col. 3, lines 14-16, col. 42, lines 1-18, Hidaka discloses information unique to the scanner being displayed).

Hidaka fails to teach the limitation further including a plurality of image readers.

However, Roosen teaches the use of multiple scanners (col. 1, lines 63-65).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hidaka in view of Roosen to use a plurality of image readers. One would be motivated to do so because it is a quicker and more efficient scan process.

Regarding claim 36, Hidaka teaches the system for reading an image according to claim 35, wherein the information displayed on the display operation part has individual information for the image reader and common information for a plurality of the image readers, and the common information is managed by the management device (fig. 45, col. 2, lines 44-49, col. 3, lines 17-19, col. 6, lines 48-67).

As to claim 37, Hidaka teaches a system for reading an image comprising:
at least one of the image readers including:

- an operation instruction receiving part that receives an operation instruction (col. 2, lines 44-49, col. 3 lines 14-16); and

- a reading part that reads an image based on the operation instruction received by the operation instruction receiving part (col. 2, lines 44-45); and

- a display operation that display information and receives the operation instruction (fig. 45, col. 3, lines 17-19), and

wherein the at least one of the image readers receives an operation instruction from the display operation part through the management device (col. 2, line 44 – col. 3, lines 19.

Hidaka fails to teach the limitation further including a plurality of image readers.

However, Roosen teaches the use of multiple scanners (col. 1, lines 63-65).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hidaka in view of Roosen to use a plurality of image readers. One would be motivated to do so because it is a quicker and more efficient scan process.

7. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidaka and Roosen, further in view of Meyer et al., U.S. Patent No. 6,289,378.

Hidaka teaches the invention substantially as claimed including a network copy-file management system which is made up of a copy system and terminals (see abstract).

As to claim 29, Hidaka teaches the method of claim 26.

Hidaka fails to teach the limitation further including the image reader according to claim 26, wherein the Web server part supplies a control page to the display operation part or a Web client, the control page receives a control instruction including a shutdown of a power supply, and the web server part executes the control instruction received by the control page.

However, Meyer teaches a remote computer management system using a web browser (see abstract). Meyer teaches the use of remote shutdown of a computer (col. 6, lines 44-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hidaka in view of Meyer to allow the display operation part or the web client to remotely shutdown a power supply. One would be motivated to do so because it gives a client full control of the image reader connected to the network.

8. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidaka in view of Roosen et al., U.S. Patent No. 6,970,260, further in view of Filepp et al., U.S. Patent No. 6,182,123.

Hidaka teaches the invention substantially as claimed including a network copy-file management system which is made up of a copy system and terminals (see abstract).

Regarding claim 33, Hidaka teaches an image reader connected to a network comprising:

a display operation part connected to the image reader, the display operation part displays information of the image reader and receives an operation instruction from a user and a management device (fig. 45, col. 3, lines 1-19);

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an operation instruction receiving part that receives the operation instruction, the image reader receiving the operation instruction from the display operation part through the management device (col. 2, line 44 – col. 3, line 16);

a reading part that reads an image based on the operation instruction received by the operation instruction receiving part (col. 2, lines 44-45); and

a web server that supplies a Web page to the display operation part, wherein the display operation part has common information (col. 2, lines 44-49, col. 3, lines 14-19, col. 6, lines 46-67).

Hidaka fails to teach the limitation further including a plurality of image readers and a display operation part with one or more divided screens.

However, Roosen teaches the use of multiple scanners (col. 1, lines 63-65).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hidaka in view of Roosen to use a plurality of image readers. One would be motivated to do so because it is a quicker and more efficient scan process.

Hidaka and Roosen fail to teach the limitation further including a display operation part with one or more divided screens.

However, Filepp teaches an interactive computer network and method of operation (see abstract). Filepp teaches the use of a users monitor divided into partitions (col. 10, lines 25-36).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hidaka and Roosen in view of Filepp to have a display operation

part with one or more divided screens. One would be motivated to do so because it allows for an efficient way to display different information on one display.

Response to Arguments

9. Applicant's arguments with respect to claims 18, 33, 35, and 37 have been considered but are moot in view of the new ground(s) of rejection.

10. Applicant's arguments filed March 13, 2007 have been fully considered but they are not persuasive.

Regarding the argument to the 112 rejection of claim 38, the applicant argues that "at least two of a plurality of image readers from the management device and receives display information unique to the image reader from the image reader" is found on page 6, lines 18-24 in the specification. The examiner respectfully disagrees, as that portion shows that the display information is received from web server and not "from the image reader" as claimed.

Regarding the argument to claim 38, the applicant argues that the reference, Roosen, does not disclose "at least two of a plurality of image readers from the management device and receives display information unique to the image reader from the image reader". The examiner respectfully disagrees, as seen in, fig. 1 and col. 3, lines 23-27, there is a display disclosed for a plurality of image readers. The 112 rejection of "the display information unique to the image reader from the image reader" has not been overcome.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,757,715 to Philyaw.

U.S. Pat. No. 6,633,913 to Chalstrom et al.

U.S. Pat. No. 6,256,662 to Lo et al.

U.S. Pat. No. 6,609,162 to Shimizu et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Avi Gold whose telephone number is 571-272-4002. The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Avi Gold

Patent Examiner

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ABDULLAH SALAD
PRIMARY EXAMINER